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10 *Attorneys for Non-Party*  
11 *Samsung Electronics Co., Ltd.*

12 UNITED STATES DISTRICT COURT  
13  
14 NORTHERN DISTRICT OF CALIFORNIA

15 *In re Google Play Store Antitrust Litigation*

Cases Nos.

16 *Epic Games, Inc. v. Google LLC et al.*

3:21-md-02981-JD

3:20-cv-05671-JD

**DECLARATION OF KYU SUNG LEE  
PURSUANT TO N.D. CAL. LOCAL RULE  
79-5(f)(3) TO REQUEST SEALING OF  
SELECT TRIAL EXHIBITS**

Judge: Hon. James Donato

**DECLARATION OF KYU SUNG LEE**

I, Kyu Sung Lee, declare as follows:

1. I am an Executive Vice President at Samsung Electronics Co., Ltd. with responsibility for Global Legal Affairs. I have been employed at Samsung since 2001, and in the course of my employment have become familiar with Samsung's treatment of its trade secrets and other proprietary business information, such as those discussed in this declaration.

2. I understand that late in the evening on November 11, 2023, Plaintiff Epic Games, Inc. disclosed that on November 14 2023, it would be using the following exhibits during trial in the above-captioned actions: Exhibits 784, 1378, 1380, 1382 ("Samsung-Related Exhibits"). Certain pages of the Samsung-Related Exhibits contain Samsung's sensitive, confidential information. I make this declaration on behalf of Samsung pursuant to Northern District of California Civil Local Rule 79-5(f)(3) to respectfully request that select pages of the Samsung-Related Exhibits be sealed from the public during trial. I know the facts stated herein based on my own personal knowledge and, if called as a witness, I could and would testify competently thereto.

3. **Exhibit 784:** Page 2 of Exhibit No. 784 contains sensitive, confidential information of Samsung that should remain under seal. Specifically, the exhibit is an email chain between Google and Samsung executives concerning discussion of potential contract terms between Google and Samsung, various proposals on the parties' app distribution, and the parties' efforts to coordinate business strategies. It is Samsung's practice to maintain as confidential the details of its business relationships with its partners and their discussions on strategy. Samsung would be competitively disadvantaged if such materials were made public. Samsung's sealing request is narrowly tailored to just one page of this exhibit.

4. **Exhibit 1378:** Pages 2-5 of Exhibit No. 1378 contain sensitive, confidential information of Samsung that should remain under seal. Specifically, the exhibit is an email chain between Google and Samsung executives concerning the negotiation and interpretation of contract terms between Google and Samsung. It is Samsung's practice to maintain as confidential the details of its business relationships with its partners and related discussions. Samsung would be competitively disadvantaged if such materials were made public. Samsung's sealing request is

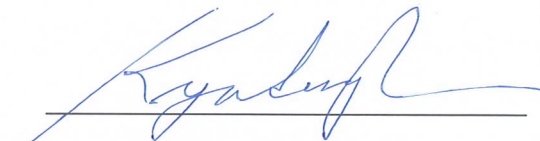
1 narrowly tailored to just a few pages of this exhibit.

2       5.       **Exhibit 1380:** Page 1 of Exhibit No. 1380 contains sensitive, confidential  
3 information of Samsung that should remain under seal. Specifically, the exhibit is an email chain  
4 between Google and Samsung executives concerning the launch of Samsung's app store, and the  
5 terms of Samsung's business relationship with Google, as well as discussions of forward looking  
6 strategy. It is Samsung's practice to maintain as confidential the details of its business relationships  
7 with its partners and their discussions on strategy. Samsung would be competitively disadvantaged  
8 if such materials were made public. Samsung's sealing request is narrowly tailored to just one page  
9 of this exhibit.

10       6.       **Exhibit 1382:** Pages 17, 22, and 35 of Exhibit No. 1382 contain sensitive,  
11 confidential information of Samsung that should remain under seal. Specifically, the exhibit is a  
12 slide presentation concerning Samsung's ad revenue, changes and projected changes to that revenue,  
13 Samsung's go-forward business strategy and goals, as well as a summary of the financial terms of  
14 the "Samsung-Google relationship." It is Samsung's practice to maintain as confidential the terms  
15 of its business relationships with its partners, including revenue, projected revenue, and related  
16 strategy. Samsung would be competitively disadvantaged if such materials were made public.  
17 Samsung's sealing request is narrowly tailored to just three pages of this exhibit.

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19       I declare under penalty of perjury of the laws of the United States of America that the  
20 foregoing is true and correct. This declaration was executed this 12th day of November 2023, in

21 Seoul, Korea.

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